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1 - New Mexico governor reshuffles her Cabinet after Bemis retirement, SantaFeNM, 4/15/13

http://www.santafenewmexican.com/news/article_5a943b4c-1dd5-51ce-84f3-a0814a8ecc50.html

Summary: Gov. Susana Martinez reshuffled the leadership of two state agencies on Monday because of the retirement of Energy, Minerals and Natural Resources Secretary John Bemis.

2 - Multiple earthquakes rock central Oklahoma, KETV, 4/16/13

<http://www.ketv.com/news/local-news/Multiple-earthquakes-rock-central-Oklahoma/-/9674510/19766004/-/lhtmbz/-/index.html>

Summary: At least five earthquakes rocked central Oklahoma overnight.

3 - McDaniel, Oklahoma AG sign agreement on Illinois River phosphorus issues, PoultryFed, 2/20/13

<http://www.thepoultryfederation.com/news/2013/02/20/arkansas-and-oklahoma-to-conduct-water-quality-study>

Summary: Attorney General Dustin McDaniel announced today that Arkansas and Oklahoma officials have agreed to conduct a comprehensive study of phosphorus concentrations in the Illinois River watershed as both states work to improve water quality in the region.

4 - NCC says Renewable Fuel Standard Reform Act will provide relief to US chicken producers, PoultryFed, 4/10/13

<http://www.thepoultryfederation.com/news/2013/04/10/bill-to-reform-ethanol-mandate-introduced-in-house>

Summary: Reps. Bob Goodlatte (R-VA), Jim Costa (D-CA), Steve Womack (R-AR) and Peter Welch (D-VT) today introduced the Renewable Fuel Standard (RFS) Reform Act to help ease concerns created by the ethanol mandate and protect consumers, energy producers, livestock and poultry producers, food manufacturers, retailers and the U.S. economy.

5 - Cities partner for air quality luncheon, FWStar, 5/15/13

<http://www.star-telegram.com/2013/04/15/4776854/cities-partner-for-air-quality.html>

Summary: If there's one thing businesses can do to better the region's air quality, it's reduce vehicle emissions. That was the overall message from a panel of experts at a joint luncheon on April 4. The chambers of commerce from Colleyville, Grapevine and Southlake partnered to bring in experts and discuss the area's air quality with city leaders and business owners at the Colleyville Center in Colleyville. Four panelists spoke to the crowd of 175 people about their organizations' responsibilities, the current state of the environment and what's being done to make improvements.

6 - Air clearing after Asarco demolition kicks up fine dust particles, ElPasoTimes, 4/16/13

http://www.elpasotimes.com/ci_23032643/air-clearing-after-asarco-demolition-kicks-up-fine

Summary: Fine dust particles in El Paso's airshed rose from good to moderate levels for two days following the demolitions of Asarco's two smokestacks, according to Texas Commission for Environmental Quality air monitoring data.

7 - Sinkhole work stops as tremors increase, BRAdv, 4/15/13

<http://theadvocate.com/home/5716073-125/sinkhole-work-stops-as-tremors>

Summary: Another round of increased tremors has halted work at the sinkhole near the Bayou Corne community, Assumption Parish officials said Monday.

8 - Officials discuss plans for flooding in south La., BRAdv, 4/15/13

<http://theadvocate.com/news/5718470-123/officials-discuss-plans-for-flooding>

Summary: Federal, state and local officials delved Monday into the difficulties of predicting flooding on south Louisiana rivers.

9 - Coastal restoration bill clears first hurdle in House committee, NOLA, 4/16/13

http://www.nola.com/politics/index.ssf/2013/04/oil_spill_restore_fines_louisi.html#incart_river

summary: The House Appropriations Committee approved a bill Monday that would require any Clean Water Act fines received from the federal government as a result of the 2010 Deepwater Horizon BP oil spill to go solely to coastal restoration and protection programs.

10 - EPA Opens Door To Raising Gasoline Octane Rating In 'Tier III' Fuel Rule, Inside EPA, 4/15/13

<http://insideepa.com/201304152430943/EPA-Daily-News/Daily-News/epa-opens-door-to-raising-gasoline-octane-rating-in-tier-iii-fuel-rule/menu-id-95.html>

Summary: EPA's "Tier III" fuel and vehicle emissions rule opens the door to raising gasoline's octane level -- a rating of a fuel's performance -- to promote better-performing cleaner fuels and engines, but automakers and biofuel advocates are criticizing the agency for proposing that the onus be on automakers to ensure the fuels are available given refiner resistance.

11 - EPA Expands Pending Arsenic Assessment To Dermal, Inhalation Risks, Inside EPA, 4/16/13

<http://insideepa.com/201304162431051/EPA-Daily-News/Daily-News/epa-expands-pending-arsenic-assessment-to-dermal-inhalation-risks/menu-id-95.html>

Summary: Draft documents that EPA recently submitted to a National Academy of Sciences (NAS) panel show that officials are maintaining their first-time plan to estimate the inhalation risks of arsenic as requested by the air office, while expanding the assessment to weigh potential dermal risks -- even though the panel is slated to review only the agency's assessment of ingestion risks.

12 - States Call For EPA Data Quality Guide Delay To Address Burden Concerns, Inside EPA, 4/16/13

<http://insideepa.com/201304162431049/EPA-Daily-News/Daily-News/states-call-for-epa-data-quality-guide-delay-to-address-burden-concerns/menu-id-95.html>

Summary: States are calling for EPA to delay final issuance of its draft updates to data quality guidelines on the use of external data sources, saying they need more time to consult with the agency to outline and resolve their concerns that the revised guidelines are unclear on the potential reporting mandates and other burdens they might impose on states.

13 - Total U.S. Greenhouse Gas Emissions Dropped 1.6 Percent in 2011, EPA Says, BNA, 4/16/13

http://esweb.bna.com/eslw/1245/split_display.adp?fedfid=30365881&vname=dennotallissues&jd=a0d7g4x5h2&split=0

Summary: Total U.S. greenhouse gas emissions dropped 1.6 percent in 2011 from 2010 levels in part because of a reduction in coal consumption for electricity generation and increases in natural gas and hydropower consumption, the Environmental Protection Agency said April 15 in an annual emissions inventory.

14 - Agency comes under fire for 'closed, opaque' press policy, Greenwire, 4/15/13

http://www.eenews.net/Greenwire/most_read/2013/04/11/2

Summary: This story was updated Monday, April 15, at 10:56 a.m. Decades ago, when Bill Ruckelshaus returned for his second stint as U.S. EPA administrator, employees wheeled a giant cardboard box into his office. Inside: Hugh Kaufman, an employee known for his tendency to disparage the agency's decisions in the press.

New Mexico governor reshuffles her Cabinet after Bemis retirement

By Barry Massey

The Associated Press | Posted: Monday, April 15, 2013 5:00 pm

Gov. Susana Martinez reshuffled the leadership of two state agencies on Monday because of the retirement of Energy, Minerals and Natural Resources Secretary John Bemis.

The governor named Environment Secretary F. David Martin to succeed Bemis, who is retiring Tuesday.

The Energy, Minerals and Natural Resources Department regulates oil and natural gas operations and is responsible for mine safety, reclamation of abandoned mines, state parks, forestry and fire management.

Bemis turns 62 this month and said he had long planned to retire at this time.

Martinez appointed Environment Department General Counsel Ryan Flynn to take over for Martin as Cabinet secretary. Flynn has been the agency's top lawyer for two years.

The governor said Ryan was the administration's main negotiator for an agreement earlier this year with federal regulators and the state's largest utility for reducing pollution from a coal-fired power plant in northwestern New Mexico.

"He has been a tireless advocate for common sense approaches to regulations that protect the environment while continuing to encourage economic growth," Martinez said of Flynn.

The Environment Department oversees permitting programs for everything from power plants and mining operations to national laboratories and other industrial operators to ensure state air and water quality standards are maintained.

Martin has worked for the governor since she took office in 2011. He holds engineering degrees from Texas Tech and New Mexico Tech, where he was an adjunct associate professor in the petroleum and chemical engineering department.

The governor said Martin had provided "tremendous, steady leadership" at the environmental agency.

Bemis is an attorney with experience in oil and natural gas law. The governor praised Bemis for his leadership, particularly in overseeing the agency during difficult wildfire seasons in the past two years.

Bemis became the agency's Cabinet secretary in March 2011, and previously worked at the State Land Office as assistant commissioner for oil, gas, and mineral resources.



Multiple earthquakes rock central Oklahoma

LUTHER, Okla. -

At least five earthquakes rocked central Oklahoma overnight.

The first, a 3.0, was at 1:45 a.m. near Chandler.

The second, 4.3 earthquake, rocked Oklahoma just before 2 a.m. According to the U.S. Geological Survey the epicenter was in Luther. The quake was felt as far east as Tulsa and as far west as Clinton. It was the strongest magnitude earthquake.

The next earthquake occurred at 2:15 a.m. It was a 2.8 near Boley.

That quake was immediately followed by one near Luther, a 3.3 earthquake at 2:16 a.m., just one minute after the quake near Boley.

The latest quake was a 4.2 near Luther at 5:16 a.m.

USGS geophysicist Jana Pursley says all the quakes were shallow, which is common for the area. She also says it is common for several earthquakes or aftershocks to strike during a short period of time.

An official answering the dispatch line for the Oklahoma County Sheriff's office says they have received no reports of damage or injuries.

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McDaniel, Oklahoma AG sign agreement on Illinois River phosphorus issues

LITTLE ROCK - Attorney General Dustin McDaniel announced today that Arkansas and Oklahoma officials have agreed to conduct a comprehensive study of phosphorus concentrations in the Illinois River watershed as both states work to improve water quality in the region.

McDaniel, Oklahoma Attorney General Scott Pruitt and agency directors in both states signed a "Second Statement of Joint Principles and Actions," which outlines how the study will proceed. The Second Statement of Joint Principles and Actions eliminates the potential for costly litigation over Oklahoma's regulatory standard for phosphorus concentrations within the watershed. Arkansas has maintained that the standard is unattainable.

Both states agreed to be bound by the outcome of the study. It is expected to take three years to complete.

"Arkansas has worked diligently to reduce phosphorus concentrations in the Illinois River watershed over the last decade, and we will continue to do so," McDaniel said. "The results of this study will guide farmers, businesses and municipalities in northwest Arkansas in their future planning, as both Arkansas and Oklahoma remain committed to improving water quality. I applaud Attorney General Pruitt and officials in Oklahoma for working together with us on this important issue."

The study, known as a stressor response study, will determine the amount of phosphorus that can be contained within the watershed without negatively impacting water quality. The study will be conducted using EPA-approved testing methods that ensure scientifically reliable data collection and analysis.

A six-member committee will oversee the study and select the vendor to conduct it. The committee will be composed of three members selected by Arkansas Gov. Mike Beebe and three members selected by Oklahoma Gov. Mary Fallin.

Arkansas will work to secure funding for the study, which is expected to cost about \$600,000. The funds will be administered by the Arkansas-Oklahoma Arkansas River Compact Commission, which includes representatives from both states.

The Second Statement of Joint Principles and Actions was negotiated by McDaniel and Pruitt, with the support of other state officials who are signatories to the document. In Arkansas, those are Teresa Marks, director of the Arkansas Department of Environmental Quality, and Randy Young, director of the Arkansas Natural Resources Commission.

An initial Statement of Joint Principles and Actions was signed by both states in 2003, demonstrating the states' commitment to improved water quality in the Illinois River and other scenic rivers in the watershed. The second statement is a continuation of that commitment.

Source: The Office of Arkansas Attorney General Dustin McDaniel

NCC says Renewable Fuel Standard Reform Act will provide relief to US chicken producers

WASHINGTON, D.C. - April 10, 2013 - Reps. Bob Goodlatte (R-VA), Jim Costa (D-CA), Steve Womack (R-AR) and Peter Welch (D-VT) today introduced the Renewable Fuel Standard (RFS) Reform Act to help ease concerns created by the ethanol mandate and protect consumers, energy producers, livestock and poultry producers, food manufacturers, retailers and the U.S. economy.

"I commend Congressmen Goodlatte, Costa, Womack and Welch for their leadership in introducing this legislation that will provide much needed relief to U.S. chicken producers and family farms that raise chickens," said National Chicken Council President Mike Brown. "After EPA's refusal last fall to grant a waiver from the RFS in the face of the worst drought since the 1950s, it is abundantly clear the RFS is broken and needs to be reformed."

The legislation eliminates the conventional biofuels mandate, beginning in 2014, and rescinds the requirements of blending up to 15 percent ethanol into the fuel supply.

Brown noted that since the RFS was enacted, chicken producers alone have incurred \$35 billion in cumulative additional feed costs.

"We have witnessed a dozen poultry companies file for bankruptcy, be sold or simply close their doors, due in large part to the extreme volatility and record high cost of corn associated with ethanol's insatiable demand," he said.

"Chicken producers are certainly not anti-corn; and we're not even anti-ethanol. What we are against is a government mandate that artificially inflates the price of corn, picks winners and punishes losers among those who depend on it. The Renewable Fuel Standard Reform Act seeks to level this playing field by embracing free market principles," Brown concluded.

Also this afternoon, Rep. Steve Womack (R-AR) and Rep. John Garamendi (D-CA) introduced a separate bill, the Renewable Fuel Standard Amendments Act, which would solely zero-out corn from the RFS. NCC also supports this legislation as another vehicle to help alleviate the economic harm caused by the federal government's misguided ethanol policy.

Source: National Chicken Council

News Headline: Cities partner for air quality luncheon | 

News Date: 04/15/2013

Outlet Full Name: Fort Worth Star-Telegram - Online

News Text: If there's one thing businesses can do to better the region's air quality, it's reduce vehicle emissions.

That was the overall message from a panel of experts at a joint luncheon on April 4. The chambers of commerce from Colleyville, Grapevine and Southlake partnered to bring in experts and discuss the area's air quality with city leaders and business owners at the Colleyville Center in Colleyville. Four panelists spoke to the crowd of 175 people about their organizations' responsibilities, the current state of the environment and what's being done to make improvements.

David Garcia, acting director for the Multimedia Planning and Permitting Division of the U.S. Environmental Protection Agency's Region 6 office in Dallas, said that ozone levels remain D/FW's largest challenge.

A large amount of ozone can cause respiratory problems, especially in children and the elderly, he said. Another name for ozone is smog, which is basically ground-level ozone.

Currently, D/FW's ozone levels are at 87 parts per billion and don't meet federal standards of 75 parts per billion.

He told the audience that the smog in China is so bad that people wear oxygen mask outdoors and stressed the importance of enforcing regulations and meeting standards.

"Without regulation, we could end up like China," he said.

But the news isn't all bad. Garcia said regulation and an informed community has allowed ozone levels to decrease, even with a population that's been consistently growing in the past 30 years. He said the goal is to have D/FW meet federal standards by 2018.

All experts agreed that the place to start making improvements to the region's air quality is with vehicle emissions.

Vehicles are estimated to be the largest producers of ozone, making up 70 percent of the area's pollution. This is especially true during ozone season, which started on March

1 and runs until Oct. 31. During this time of the year a variety of variables, like warmer weather, allow for increased production of ground-level ozone.

“A lot of it has to do with vehicles. When we have those summer days and the wind is stale, there's nowhere for pollution to go,” Garcia said.

The speakers stressed trip reduction.

Mindy Mize, program director for the North Central Texas Council of Governments, suggests businesses encourage carpooling and telecommuting.

Tony Walker, Texas Commission on Environmental Quality D/FW Office director, chimed in.

“Just doing proper maintenance on your fleet can make a difference,” he said.

Dana Centola, Eco Team co-leader and senior sales support specialist with Sabre Holdings in Southlake, spoke about her company's initiatives to go green. She suggested businesses encourage their employees to bring lunches rather than drive out for lunch, and stressed the importance of a good in-house cafeteria.

She also said Sabre has electric car charging stations with prime parking spots. But in her mind, the biggest factor in going green is allowing employees to work from home.

Guice Mercer, an information security consultant with Data Shredding Services in Grapevine, said even though his company is making strides at going green, he's always interested in what else can be done.

“It's confirmation that we're on the right track,” he said about what he learned from the luncheon.

Through recycling, he said his company has saved more than 5,300 trees. He added that using route planning technology has allowed employees to drive smarter and reduce emissions.

Event organizers said this was the first time they can remember that the councils partnered for a luncheon, but it's the start of a new era of regionalism. Colleyville Mayor David Kelly said Grapevine Mayor William D. Tate were a major factor in getting the three communities together to discuss air quality. Tate supported that statement when he addressed the attendees.

“Our boundaries sometimes seem to be imaginary,” he said, stressing the need to work together. “We have to in the future to make the region better. We've done a wonderful job turning our grass green, now we need to turn our skies blue.”

“Air quality doesn't have borders,” said Jenna Waters, Colleyville Chamber of Commerce president.

Dustin Dangli, 817-390-7770

Air clearing after Asarco demolition kicks up fine dust particles

By Diana Washington Valdez \ El Paso Times El Paso Times

Posted:

Elpasotimes.com

Fine dust particles in El Paso's airshed rose from good to moderate levels for two days following the demolitions of Asarco's two smokestacks, according to Texas Commission for Environmental Quality air monitoring data.

On April 12, the day before the demolitions, El Paso experienced a "good" range of PM-2.5 fine dust particles, which averaged 38 on the U.S. Environmental and Protection Agency Air Quality Index. The indicator remained in the good range, at 40, on Saturday before jumping to a moderate range of 68 on Sunday. The dust particles level reached 58 on Monday, according to the state's unofficial data on the TCEQ's website.

The AQI is used let the public know when air pollutants reach unhealthful levels. The color-coded index includes six ranges: good (0-50), moderate (51-100), unhealthy for very sensitive groups (101-150), unhealthy (151-200), very unhealthy (201-300) and hazardous (301-500).

"There was a short-lived spike of elevated levels of PM10 and PM2.5 on Saturday morning," TCEQ spokesman Terry Clawson said Monday. "There were elevated levels of PM-10 and PM-2.5 Sunday morning and lasting until early Sunday afternoon. These particulate matter concentrations remained below a level of health concern all weekend."

PM-10 dust particles are coarser than PM-2.5 particles; both are measured in micrometers.

"TCEQ reviewed the preliminary data from our ambient monitoring network in the El Paso area," said Clawson, adding that "preliminary data has not been validated and therefore subject to change. Concentrations remained in the good range for carbon monoxide, nitrogen oxides, ozone, and sulfur dioxide all weekend."

Higher levels of PM-2.5 -- considered the region's main air pollutant -- can affect people who are sensitive to dust particles, such as asthmatics and others with respiratory illnesses.

Robert Puga, trustee for the \$52 million Asarco site cleanup in West El Paso, said it may take another week to learn the results from his dust-monitoring analysis from the demolitions.

For decades, El Paso's Asarco's smelter refined lead and copper, and for several years it also incinerated unpermitted hazardous wastes from a military depot.

Asarco shuttered its refining operation in 1999.

Puga said that initial tests of nine core samples from the concrete smokestacks did not turn up anything that would harm people or the environment.

Although water cannons were used to keep the dust down, a large cloud of smoky dust spread quickly and was visible to everyone who watched the stacks come down.

Because of an air inversion in the region, dust and other possible pollutants from the massive demolitions also lingered despite some light winds.

An inversion occurs whenever a layer of cool air is trapped near the ground by a layer of warmer air above it. Smog is the most visible sign of this meteorological event.

State Sen. José Rodríguez, D-El Paso, said Saturday that he was concerned about the thick clouds of dust reported on both sides of the border, and called for a "thorough review" of the event.

"Despite reassurances from the trustee, TCEQ and EPA, thousands of people in El Paso and Juárez were exposed to a cloud of Asarco dust," Rodríguez said.

Sito Negrón, spokesman for the senator, said, "We've been in contact with the TCEQ since Saturday and are asking that we be apprised of the results."

In response to Rodríguez's request, Clawson said the TCEQ plans to review the monitoring data, "but all indications are it was a successful demolition and no long-term health effects are anticipated."

An official with the EPA-Region 6 in Dallas was unavailable for comment late Monday.

Environmental advocate Heather McMurray said she is worried that fugitive dust containing dangerous contaminants escaped during the demolition into the air and or remained in the ground at the Asarco site.

Fugitive dust can get into the air from work at construction sites, unpaved roads, or demolitions.

John Walton, civil engineering professor at the University of Texas at El Paso, said he took note of the air inversion and the path that the cloud of dust followed.

He is an expert on environmental remediation and fugitive dust.

"It looked like a weak low-level inversion Saturday morning but I haven't actually seen any data on it," Walton said. "The plume went slowly down valley and the effects can be seen on the TCEQ UTEP and Chamizal sites. I was watching from just above the freeway (Interstate 10).

"The real question is not 'was there dust?' -- dust was expected," Walton said. "The question is was the dust, particularly from Asarco, contaminated with heavy metals? To know that one must chemically analyze the dust samples. I have not seen any analysis."

Walton has conducted research on fugitive dust.

"Based on observation and first principles I suspect the Asarco dust was only slightly contaminated," Walton said. "This is because it appeared to be mostly (a) resuspension of dirt laid down for the fall zone. Hopefully we will see some hard data to confirm or deny this from Mr. Puga. One should maintain perspective, (because) contaminated dust left the Asarco site every time the wind blew for the past 100-plus years."

The city of El Paso also conducted a demolition on Sunday of the former City Hall building in Downtown El Paso, and hired a company to do an air-monitoring analysis. That report will be ready in a week to 10 days.

Diana Washington Valdez may be reached at dvaldez@elpasotimes.com; 546-6140.

Sinkhole work stops as tremors increase

BY DAVID J. MITCHELL

River Parishes bureau

Another round of increased tremors has halted work at the sinkhole near the Bayou Corne community, Assumption Parish officials said Monday.

Work stopped Sunday and again Monday on the sinkhole itself and inside a 1.5-mile containment berm, which surrounds 71 acres that encompass the sinkhole near Bayou Corne and Grand Bayou, parish officials said.

John Boudreaux, director of the parish Office of Homeland Security and Emergency Preparedness, said Monday the halt in work is done in an abundance of caution based on past experience with the tremors.

Upticks in tremor frequency have sometimes been followed by burps of gas, oil and debris and edge collapses in the sinkhole.

"We just get everybody out of the area and wait for what is going to occur, to occur," Boudreaux said, adding tremor activity typically slows down afterward.

The 13-acre, 160-foot-deep sinkhole has forced the evacuation of about 350 people for more than eight months from the Bayou Corne and Grand Bayou communities lying on either side of the swampland hole.

The increased numbers of tremors Monday are around the sinkhole and near a failed subterranean Texas Brine Co. cavern, the collapse of which is suspected of causing the sinkhole last year. The cavern was carved inside the Napoleonville Dome near its western face.

This collapse has allowed millions of cubic yards of earth and rock to enter the cavern and rise up inside it. That sidewall is still collapsing, scientists have said.

State and local officials have scheduled a community briefing on the sinkhole at 6 p.m. May 1 in the Assumption Parish Community Center, 4910 La. 308, in Napoleonville.

Texas Brine spokesman Sonny Cranch said Monday that construction on the berm also was halted Sunday and Monday but due to wet weather.

He said work would have been suspended due to the tremors, however, had the weather been better.

Boudreaux said scientists reported that in this instance, the number of micro-earthquakes has increased from about 10 tremors per day to 50 per day.

Sometimes known as sharp tremors, the micro-earthquakes have been attributed to breaking rock underground, scientists have said. The breaking rock is filling the failed cavern, which at last measurement was 97 percent full.

Increases in different kinds of tremors several times last month halted work and preceded edge collapses that added more than 1.25 acres to the sinkhole's surface area, taking down trees and part of a well pad used for access to the lake-like hole and for seismic monitoring.

The stretched out tremors increased in number several times last month are known as "very long period" events. They indicate fluid or gas movement through a zone of fractured rock 800 feet across and 6,000 feet deep that rises up along side the salt dome and under the sinkhole, according to an April 5 scientific presentation made to the state's expert sinkhole panel.

The fracture zone was created deep underground in conjunction with the Texas Brine cavern failure and rose over a period of at least months to the surface, the presentation says.

The fracture zone also may have tapped into oil and gas bearing formations along the salt dome's face and is acting as a pathway for the hydrocarbons, as well as salty groundwater, to the reach far shallower strata and the sinkhole.

Boudreaux said Monday the long period events are occurring but not at an increased level.

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Officials discuss plans for flooding in south La.

Authorities plan for averting disasters

By Bob Anderson

Florida Parishes bureau

DENHAM SPRINGS — Federal, state and local officials delved Monday into the difficulties of predicting flooding on south Louisiana rivers.

Rainfall, wind direction, tides, sea-level rise, hurricane tracks and storm speeds were among the things more than 25 officials discussed in trying to plan for and create tools to deal with future floods.

River flooding here can't be modeled like in other areas where there's simply a one-way river flow to consider, said Suzanne Van Cooten, director of the Lower Mississippi River Forecast Center in Slidell.

Storm surges, tides and wind direction also are important in determining river stages in parts of south Louisiana, several officials suggested.

A sustained 30 mph southeast wind will cause a 5-foot rise in water at the mouth of the Amite River on Lake Maurepas, said Dietmar Rietschier, executive director of the Amite River Basin Commission.

That causes higher river stages as far upriver as Bayou Manchac, he said.

Van Cooten said, "We forecast for flow only," except on the Mississippi River, and it is "very complex" to work the other factors into the equation.

She said the center tries to get anecdotal information from people along the rivers after flood.

Ken Graham said getting information on flooding conditions from local emergency personnel is a big help.

Reporting to the weather service that water is high in a lake and rivers can't drain is important, said Graham, chief meteorologist at the National Weather Service's Slidell office.

“A total water map is what is needed, but the money is not there,” he said.

Several speakers agreed that to better predict flooding an inundation computer model that includes rainfall, tides, wind direction, storm surges and river stages is needed.

“We need help with inundation mapping,” Graham said.

Van Cooten said the such information is needed “year-round.”

“We don’t just need this for hurricane season,” she said. “We need it year-round” to help with other weather situations like winter storms.

“The timing is critical,” Van Cooten said. “We need to know when the water from the river is going to arrive” at a particular place.

The “cone of uncertainty” in river forecasting even extends to meteorology, including whether a heavy rain falls in one river basin or in another basin nearby, Van Cooten said.

George Arcement, director of the U.S. Geological Survey’s Louisiana Water Science Center, said changes on rivers, such as building new bridges, also change flooding patterns.

An improvement in one area can mean the “choke point” is moved farther down the river, he said.

Walker Mayor Rick Ramsey said drainage is also an unresolved flooding issue in some areas.

Graham said Louisiana is faced with complication of sea-rise that “is not going to get better.”

The gentle slope of its coastline makes the state more vulnerable as is the case with the Netherlands, he said.

Not having enough water in the west and having too much on the coast is going to be a challenge for the next generation, Graham said.

In addition to state and federal officials, officials from Livingston, Ascension and East Baton Rouge parishes attended the meeting.

Rietschier suggested they meet again in about two months to continue the discussion.

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Everything New Orleans

Coastal restoration bill clears first hurdle in House committee



By [Lauren McGaughy, NOLA.com | The Times Picayune](#)

Email the author | [Follow on Twitter](#)

on April 15, 2013 at 4:45 PM, updated April 15, 2013 at 8:00 PM

The House Appropriations Committee approved a bill Monday that would require any Clean Water Act fines received from the federal government as a result of the [2010 Deepwater Horizon BP oil spill](#) to go solely to coastal restoration and protection programs.

A nearly identical piece of legislation, [House Bill 94](#), was also introduced this year by state Rep. Ray Garofalo, R-Meraux.

If successful during this year's legislative session, either of the proposed constitutional amendments would then go to the voters for approval. Under legislation [passed last year](#), lawmakers can redirect oil spill funds to non-coastal needs by a two-thirds vote.

State Rep. Simone Champagne, R-Jeanerette, who is sponsoring House Bill 118, said [in March](#) that a constitutional amendment was needed to ensure the fines will be used for their intended purpose.

Champagne said she has seen funds earmarked for hurricane recovery redirected and wants to make certain this will not happen with the oil spill fines.

The Restore Act, passed by the U.S. Congress in July 2012, directs 80 percent of all Clean Water Act fines levied for the 2010 oil spill to the five affected states. The bulk of that money -- 55 percent -- is overseen by the [Gulf Coast Ecosystem Restoration Council](#). The rest is split equally between the states and can be used as they choose. This is the pot of money that state lawmakers could divert from coastal programs.

The bill will now proceed to the House Committee on Civil Law and Procedure before heading to the House floor.

Keep watching NOLA.com for more on the 2013 legislative session.

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Daily News

EPA Opens Door To Raising Gasoline Octane Rating In 'Tier III' Fuel Rule

Posted: April 15, 2013

EPA's "Tier III" fuel and vehicle emissions rule opens the door to raising gasoline's octane level -- a rating of a fuel's performance -- to promote better-performing cleaner fuels and engines, but automakers and biofuel advocates are criticizing the agency for proposing that the onus be on automakers to ensure the fuels are available given refiner resistance.

Automakers have long sought higher octane levels in regular fuel, which currently averages an 87 rating, because they do not want to mandate that consumers purchase higher octane mid-grade at 89 or premium at 92 that are far more expensive. But they say they need even higher octane levels to ensure that technologies, such as direct fuel injection and turbocharge operate properly, boosting efficiency and reducing emissions, making it easier for automakers to comply with EPA's greenhouse gas (GHG) tailpipe rule that requires fleets to average 54.5 miles per gallon in 2025.

The biofuel industry also supports higher octane blends as a strategy for avoiding the renewable fuel standard (RFS) "blend wall" -- the limit on the amount of ethanol that can be blended with the gasoline supply given that only fuel blends of 10-percent ethanol (E10) are widely available, and also as a way to reduce GHG emissions.

If ethanol is used as an octane booster, then a 30 percent ethanol blend (E30) should cost less than a gallon of regular gasoline today and have an average octane rating of about 97, biofuels advocates say.

However, refiners generally oppose high octane regular grade fuel, noting that mid-grade and premium blends are already available. They also oppose mandates to raise ethanol blends in gasoline, and are asking the Supreme Court to hear their challenge of EPA's recent partial approval of an E15 blend for some vehicles.

Attention on [EPA's March 29 Tier III proposal](#) has largely focused on the agency's plan to reduce the allowable sulfur level in gasoline from the existing 30 parts per million (ppm) limit to 10 ppm. Refiners claim that change will increase fuel production costs that they will pass on to consumers through higher gas prices. EPA counters that the costs are overstated, and that the rule will benefit public health by cutting emissions.

But the proposal opens the door for higher octane fuel, seeking comment on allowing "vehicle manufacturers to request certification fuel such as a high-octane [an E30] blend for vehicles they might design or optimize for use on such a fuel." Certification fuels are used for engine and emissions tests.

EPA notes, "This could help manufacturers that wish to raise compression ratios to improve vehicle efficiency, as a step toward complying with" EPA's model year 2017-2025 passenger vehicle GHG tailpipe rule. "This in turn could help provide a market incentive to increase ethanol use beyond E10 by overcoming the disincentive of lower fuel economy associated with increasing ethanol concentrations in fuel, and enhance the environmental performance of ethanol as a transportation fuel by using it to enable more fuel efficient engines," according to EPA.

However, the agency says that if it were to approve a test fuel for vehicles designed to run on this fuel, then manufacturers must ensure its availability. EPA in the Tier III rule says, "Under this proposal, if manufacturers were to design vehicles that required operation on a higher octane, higher ethanol content gasoline (e.g. dedicated E30 vehicles or [flexible-fueled vehicles (FFV)] optimized to run on E30 or higher ethanol blends), . . . they could petition the administrator for approval of a higher octane, higher ethanol test fuel if they could demonstrate that such a fuel would be used by the operator and would be readily available nationwide."

One auto industry source says the sector is pleased that EPA is taking a first-time step to raising fuel octane levels to allow advanced engine technologies but notes a "disconnect with EPA's proposal. Generally speaking, they won't allow you to do anything in certification that can't be done in use. . . . It doesn't make sense to put the onus on automakers [to demonstrate such fuel would be available] when they don't produce or sell gasoline."

Mercedes-Benz fuels official Bill Woebkenberg calls it "the chicken or the egg discussion" in an April 10 interview with *Inside EPA*. He also cites a paper he presented to engineers and the ethanol industry in February that proposes replacing mid-grade fuel with high-octane "Tier III" fuel blended with E20 or E30 as a way to address EPA's reluctance to regulate octane.

Certification Fuel

Some sources suggest EPA may be seeking to walk a fine line by opening the door to a new certification fuel while declining to regulate octane in a bid to avoid problems that occurred when manufacturers sold FFVs that can run on conventional gasoline or E85 but rarely run on E85 because of a lack of availability of the fuel.

However, because the new vehicles as envisioned under the agency's proposal would be required to run on high-octane fuel, proponents say rather than model the FFV situation, EPA should look back to 1975 when it required catalytic converters on vehicles that necessitated unleaded gasoline.

At that time, the agency did not mandate that automakers demonstrate that unleaded fuel be available, but required refiners to make it available. "They required as part of that rule that unleaded gasoline had to be generally available," the auto industry source says. "They could, if they wanted, follow along [that kind of] path and pick a year in the future and require fuels and vehicles to come together at a higher-octane level."

An advanced biofuels source agrees that the transition to unleaded gasoline is a parallel to the current situation, and that EPA could require refiners to make higher-octane fuels.

The auto industry source adds that raising gasoline's octane level could help satisfy the RFS mandate that 36 billion gallons of biofuels be blended into fuel by 2022 as well as help automakers meet the EPA passenger vehicle GHG rules. However, the source adds that "a lot of the stars have to align for that to work." The auto industry has not yet met with EPA since it issued its proposal but intends to do so soon, the source adds.

Another proponent of boosting fuel octane with biofuels points to [a Jan. 28 presentation](#) by EPA Office of Transportation & Air Quality official Paul Machiele, where the agency acknowledges -- possibly for the first time, sources suggest -- its authority to mandate higher octane levels due to EPA's GHG endangerment finding.

"EPA endangerment finding and regulation of GHG emissions from motor vehicles raises the issue of considering fuel controls that might reduce GHG emissions -- octane historically has had little or no effect on criteria pollutants or air toxics, but could affect GHG emissions," says the presentation, "Statutory and Regulatory Background for Fuel Standards."

The proponent of boosting fuel octane notes that in the slide presentation, EPA is citing its GHG endangerment finding authority to mandate higher octane fuel if it thought it would address global warming.

But the source faults EPA in the Tier III proposal for requiring automakers to demonstrate market availability of a high-octane E30 fuel. "People will comment on this and say it makes no sense," the source adds.

Refiners' Concerns

Some sources are calling on EPA to issue parallel rules to raise octane in regular grade gasoline to boost environmental benefits, a potential move the oil industry is already opposing.

One oil industry source says, "If automakers want to produce an engine that's optimized for high-octane fuel, they can do that today. We supply premium octane fuel nationwide. . . . In general we have no objection to the autos building vehicles designed for a higher-octane fuel but there is no need to require all vehicles existing on the road to use higher octane fuels." The source notes that the market dictates what fuel is available and given the lack of E85, "It's questionable whether the market demand for a mid range of that, like E30, would take off."

A refining industry source says there is no guarantee biofuels would be used to boost octane, noting automakers do not care where octane comes from, and if there was a mandate to raise it, refiners would seek to use products they make in lieu of ethanol in a bid to break "an unholy alliance" between renewable fuel advocates and automakers.

The source says battle lines are still emerging and the oil industry would argue it could provide higher octane with higher energy content -- and greater efficiency -- "than the ethanol guys can ever give you." The source also disputes that widespread use of E30 could solve the RFS blend wall, noting that does not address "the liability or infrastructure problems" of using higher ethanol blends "and until you address those, you can't get at the blend wall. . . . What do you do with the fact that only 4 percent of the fleet has engines warranted to take anything above E10?"

This source says the ensuing battles will be fought on Capitol Hill as debate over the future of the RFS intensifies, as well as behind closed doors at EPA and through public comments on the Tier III proposal.

The advanced biofuels industry source, however, counters that the cheapest way to get higher octane fuel is with ethanol, which the source sees as a major selling point. This source also criticizes EPA for seeking to stay out of the battle when it is the agency's sole decision to make. "They could and should be doing more."

Environmentalists, meanwhile, are generally staying out of the octane battle. "We're in information-gathering mode," one source says, adding that they are reviewing whether there are environmental tradeoffs to increasing octane. The source does call the path for higher octane in the Tier III proposal "pretty steep" for automakers, while noting that environmentalists are focused on the sulfur reductions in the rule. -- Dawn Reeves (dreeves@iwpnews.com)

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Daily News

EPA Expands Pending Arsenic Assessment To Dermal, Inhalation Risks

Posted: April 16, 2013

Draft documents that EPA recently submitted to a National Academy of Sciences (NAS) panel show that officials are maintaining their first-time plan to estimate the inhalation risks of arsenic as requested by the air office, while expanding the assessment to weigh potential dermal risks -- even though the panel is slated to review only the agency's assessment of ingestion risks.

"The toxicological review will consider the cancer and non-cancer health effects of oral, inhalation, and dermal exposures to inorganic arsenic," according to a [draft planning and scoping document](#), which EPA provided to the NAS arsenic committee late last month.

The draft document also indicates that the agency plans to conduct both conservative linear, and less conservative non-linear, dose-response modeling in the upcoming draft assessment, a change from a 2010 draft which only considered linear cancer modeling.

EPA staff have been working on an arsenic IRIS assessment for more than a decade, striving to update a previous assessment which assessed only ingestion risks.

But a draft assessment unveiled in 2010 drew significant concern from many industry groups and GOP lawmakers because EPA proposed a cancer potency measure 17 times more conservative than the previous assessment. Critics charged the change would have driven costly and unattainable regulatory requirements. As a result, Congress required NAS to review any new draft assessment.

As a result, EPA scrapped the 2010 draft and began crafting a new draft in part as a way to highlight best practices in performing Integrated Risk Information System (IRIS) assessments, EPA's influential toxicological hazard assessments which are often the basis for agency rules and decision-making. These efforts have largely centered on more dialogue and transparency in the drafting of the assessment with stakeholders, staff in other EPA offices and the public.

The agency has already indicated that it plans to test ways to harmonize how it assesses cancer and non-cancer risks in the pending assessment, which agency officials say will help policymakers better assess costs and benefits of regulatory decisions.

"A cost-benefit analysis on the human health effects of reducing inorganic arsenic exposure or related mitigation efforts is outside the scope of this toxicological review; however, this toxicological review is anticipated to provide quantitative dose-response relationships that may be useful for estimating benefits of measures to reduce exposure to inorganic arsenic," the document states. "Future regulatory actions that address inorganic arsenic will be able to use information in this toxicological review as part of the scientific basis for estimating avoided human disease that may result from mitigation efforts."

Pending Assessment

But the scope of the pending arsenic assessment has been in question since January, when managers announced at a [public stakeholder meeting](#) they intended to produce inhalation risk estimates following conversations with staff in other agency programs about their needs from the ongoing arsenic risk assessment.

Weeks later, the NAS panel that is preparing to peer review the document raised doubts about the agency's plan, because its charter only allows for review of ingestion risks. As a result, the panel does not include experts to peer review such a document,

the NAS panel chairman Joe Graziano, a professor of environmental health sciences at Columbia University said at [the panel's first public meeting](#) Jan. 24.

But the latest draft summary of EPA's planning and scoping document for the arsenic assessment indicate that plans to perform an inhalation assessment are unchanged. Additionally, the document says that the IRIS assessment will also include dermal risk assessment.

An earlier version of the scoping document, which IRIS managers presented at the January stakeholder meeting, did not include dermal analyses. One of the January meeting attendees asked why dermal exposures were not included in that earlier document.

John Cowden, one of the chemical managers for the assessment replied, "It was not indicated by our [EPA] partners as important, but it could be added. We haven't made decisions yet -- this is just a draft [scoping document]."

According to the draft scoping document, officials also say that "where possible" they will present both "linear and non-linear low-dose extrapolations for cancer endpoints."

The 2010 draft only relied on linear extrapolations, which assume no safe level of exposure and generally result in more conservative risk estimates than non-linear extrapolations, resulting in a cancer risk estimate, or oral slope factor, that was 17 times stricter than the 1993 IRIS assessment.

The estimate was highly controversial, particularly among industry and drinking water utilities, and led to delays in completing the assessment and two EPA Science Advisory Board reviews.

Risk Guidelines

EPA justified its decision based on its 2005 cancer risk assessment guidelines, which state that agency assessors can use non-linear low-dose modeling only when they have data establishing a non-linear, non-mutagenic mode of action (MOA), or how the chemical causes an effect. If data indicates that chemical has a mutagenic MOA, or the MOA is unknown, the guidance directs agency assessors to use the linear modeling because it is more health protective. Linear modeling assumes there is no safe level of exposure to the chemical. But critics of previous assessments have long argued that there is evidence that low-dose arsenic exposures, such as those most likely in American drinking water, are non-linear, and their risk should be modeled as such.

EPA also released to NAS draft reports of its January stakeholder meeting and its September 2012 meeting with agency partners. The reports describe IRIS staff's understanding of the needs and requests from participants in these meetings. [The report from the internal meeting](#) indicates that IRIS staff and other EPA staff discussed topics of interest for the assessment including exposure routes, cost-benefit analysis, dose-response considerations, susceptible populations and timeliness, among others. "Set a schedule for the IRIS assessment that accounts for planning and scoping along with analysis. With adequate planning and continued communication with other parts of EPA along with the stakeholders, ensure that the schedule is followed," the report states.

The report also raises the issue of background exposure levels, which have long been an issue in the arsenic assessment, and certain other controversial IRIS assessments, such as dioxin and formaldehyde. Critics of the previous arsenic assessment raised concerns that its cancer risk estimate was so strict, many soils with high levels of naturally occurring arsenic would exceed the agency's safe level. The report indicates EPA staff urged IRIS staff to, "Consider the issue of background exposure to naturally occurring levels of inorganic arsenic, keeping in mind the potential dependence on site-specific or geographical factors."

The scoping document indicates that the assessment's "Dose-response analyses will indicate potential risks for health effects at potential exposure levels, including naturally occurring levels of inorganic arsenic," but does not otherwise discuss background levels of arsenic.

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Daily News

States Call For EPA Data Quality Guide Delay To Address Burden Concerns

Posted: April 16, 2013

States are calling for EPA to delay final issuance of its draft updates to data quality guidelines on the use of external data sources, saying they need more time to consult with the agency to outline and resolve their concerns that the revised guidelines are unclear on the potential reporting mandates and other burdens they might impose on states.

In [a March 26 letter to EPA](#), the National Association of Clean Air Agencies (NACAA) -- representing many state and local air officials -- claims the agency has not held sufficient outreach with states on the guides. "[A] program of the magnitude outlined in the proposal, with such potentially significant changes and impacts on state and local air agencies, should have been discussed in greater detail with these agencies before being proposed," the group says.

The Environmental Council of the States (ECOS), on behalf of many state environmental agencies, outlines similar concerns in [a March 27 letter to EPA](#). The guidelines updates "significantly expand state workload through expansion of activities that need to be reviewed and approved" by EPA, according to ECOS. "Given the current budget environment, states will have difficulty meeting additional workload and resource burdens," the group argues.

EPA took comment through an extended March 29 deadline on [the data quality guideline updates](#), but ECOS asks for a second comment period once the documents have been revised to reflect recent comments, and NACAA urges the agency to hold more consultation with states.

Before EPA issues final guidelines, NACAA recommends "that the agency (1) discuss the proposed changes in detail with NACAA representatives who can provide insights into the workings of the air program and how they mesh with EPA's quality assurance concerns and goals and (2) make changes to the requirements that will ensure that the program provides the necessary quality assurance without undue and/or unintended burdens on state and local air agencies."

EPA's updates to its data guidelines are designed in part to address a 2011 Inspector General report that criticized the agency's review of external data for its greenhouse gas endangerment finding.

The documents at issue are EPA's draft "Quality Standard for Environmental Data Collection, Production, and Use by Non-EPA (External) Organizations" and two draft handbooks for implementing the standards -- the "Handbook for Preparing Quality Management Plans" (QMPs) and draft "Quality Assurance Protection Plans" (QAPPs).

The drafts cover EPA's data quality requirements for groups such as state and local governments and other non-governmental organizations that receive grants and other funding for environmental programs. Non-EPA organizations are required to submit a QMP to the agency "for approval of environmental data operations conducted on behalf of EPA" and must use QAPPs "or equivalent documents" to set specifications for data quality in individual projects and their related activities, according to the Dec. 26 *Register* notice announcing the release of the handbooks.

Handbook Updates

The drafts mark the first updates to the handbooks in roughly a decade. In a Feb. 13 briefing to states, EPA said that the QAPP handbook "adds the following topics: qualitative comparisons to acceptance criteria; evaluation of unconventional measurements; qualitative and quantitative evaluations of usability; use of existing data; qualitative comparisons; information on modeling; use of data quality indicators; use of quality control samples."

According to an agency presentation from the consultation session with states, "Excessive implementation of [quality assessment (QA)] procedures and extensive documentation of protocols is not needed. QA activities and documentation should be proportionate with the: importance of the project or study; resources available; organizational management and structure; intended use of the data; potential risks of making wrong decisions."

Although EPA has held meetings to inform states on the contents of the data quality documents and the planned changes, states say they still have concerns over the changes and their potential burdens.

ECOS President Teresa Marks -- also the director of Arkansas' Department of Environmental Quality -- in ECOS' letter also raises concerns with changes in the language that may require EPA to approve any changes to a state quality assurance program, noting that it is "unclear why EPA has proposed to amend the language to make it 'advisable' that EPA 'should be' involved in review and approval in the future where currently EPA 'may not be involved.' Both the shift in location and in language seems to make it less likely a state would be able to gain, and possibly maintain, QAPP approval authority. Additionally, this would seem to potentially increase demands on EPA regional quality staff at a time when resources are diminishing for both federal and state environmental efforts. If EPA intends to shift approvals to regional offices, states would seek assurances EPA could provide timely QAPP pre-approvals."

Marks asks that EPA develop a document that shows the changes from the existing quality assurance guidelines, and that once the agency revises the drafts based on comments received, it should hold a second comment period to ensure that all of the concerns from ECOS and other groups are resolved. -- *Jenny Hopkinson* (jhopkinson@iwpnews.com)

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Total U.S. Greenhouse Gas Emissions Dropped 1.6 Percent in 2011, EPA Says

73 DEN A-6***Climate Change*****Total U.S. Greenhouse Gas Emissions
Dropped 1.6 Percent in 2011, EPA Says***By Jessica Coomes*

Total U.S. greenhouse gas emissions dropped 1.6 percent in 2011 from 2010 levels in part because of a reduction in coal consumption for electricity generation and increases in natural gas and hydropower consumption, the Environmental Protection Agency said April 15 in an annual emissions inventory.

The reduction also can be partly credited to a decrease in electricity demand because of a mild winter, the inventory said.

Total carbon dioxide-equivalent emissions in 2011 were 6.702 billion metric tons, compared with 6.81 billion metric tons in 2010.

Fossil fuel combustion, which includes electricity generation, was the largest source of greenhouse gas emissions. Emissions from electricity generation dropped to 2.159 billion metric tons in 2011 from 2.259 billion metric tons in 2010.

Emissions from transportation also are a component of fossil fuel combustion. Emissions were 1.745 billion metric tons in 2011, compared with 1.764 billion metric tons in 2010.

Since 1990, the first year for which EPA provided data, greenhouse gas emissions have increased 8.4 percent.

Emissions that year were 6.183 billion metric tons, which included 1.821 billion metric tons from electricity generation and 1.494 billion metric tons from transportation.

For More Information

The Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2011 is available at <http://www.epa.gov/climatechange/ghgemissions/usinventoryreport.html>.

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THE LEADER IN ENERGY & ENVIRONMENTAL POLICY NEWS

2. EPA:

Agency comes under fire for 'closed, opaque' press policy

Emily Yehle, E&E reporter

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This story was updated Monday, April 15, at 10:56 a.m.

Decades ago, when Bill Ruckelshaus returned for his second stint as U.S. EPA administrator, employees wheeled a giant cardboard box into his office. Inside: Hugh Kaufman, an employee known for his tendency to disparage the agency's decisions in the press.

"He popped out of the box as the going-away gift for the administrator, and it was a big laugh because he was well-known by all of us as sometimes giving us a hot foot," remembered Chuck Elkins, a former EPA senior official.

He recalled the episode as an example of how EPA handled the press in the 1980s and early '90s. Managers may not have liked what their employees told reporters, but it was allowed -- and sometimes joked about.

Elkins, now retired, emphasized that he was unaware of the current situation. But the Society of Environmental Journalists made its opinion clear in a [statement](#) today: EPA, it declared, is "one of the most closed, opaque agencies to the press."

"Reporters are regularly required to submit written questions, even on the simplest daily stories," the group wrote. "Interview requests are rarely granted. Delays are routine. Replies, when they do come, are from press officers, not scientists or policymakers. Answers to requests made under the Freedom of Information Act also are routinely delayed."

In an interview today, Joseph Davis, director of the SEJ Freedom of Information WatchDog Program, hypothesized that the problem stems from a shift of priorities in the press office.

Press secretaries at EPA tend to have gotten their experience from the campaign trail, he said. While 20 years ago the agency used the press to talk to the public about environmental issues that affected them, today it mainly tries to avoid political controversy.

"The tactics are different now, and they say as little as possible," he said. "The main job of the press office -- as the press office seems to see it -- is to protect the White House from political attacks ... rather than inform the press and public."

Indeed, EPA has found itself at the center of political attacks in recent years. Republicans, many of whom accuse the agency of overreach, pounce not only on what an administrator says, but also on comments from employees.

Former Region 6 Administrator Al Armendariz faced criticism after a video surfaced of him comparing his enforcement strategy to that of the ancient Romans who used crucifixions to frighten their enemies. Most recently, Sen. David Vitter (R-La.) criticized Armendariz for an email that referred to "Gina's new air rules" -- referring to EPA air chief Gina McCarthy, now nominated as EPA administrator -- as "icing on the cake" in the agency's work to limit pollution from oil and gas drilling.

Vitter, the top Republican on the Environment and Public Works Committee, characterized Armendariz's words as indicative of an agency that seeks to "punish energy producers" ([E&ENews PM](#), March 12). Vitter

has kept up that line of attack and, perhaps ironically, criticized EPA today for its lack of transparency in responding to his requests for information on the agency's internal communication ([see related story](#)).

McCarthy appeared to address such bad press at a symposium that the Union of Concerned Scientists held in September on public access to government scientific information. At that event, McCarthy said EPA is operating in a political environment in which the agency's "credibility as a scientific entity was being questioned."

She seemed to indicate that message control was preferable to the criticism that comes from employees freely speaking their opinions to reporters ([Greenwire](#), Sept. 26, 2012).

"It is the job of the agency to make sure that personalities don't get in the way of really discussing the science in a way that maintains the agency's credibility," McCarthy said at the time. "And that's the balance that we try to bring to it, is to just make sure we are really providing factual information, not a layer of assessment that is based on someone's personal interest or advocacy."

But back when Elkins worked at the agency, employees sometimes complained to reporters about any agency decisions they didn't like. Managers were held to a different standard, according to Elkins; they were expected to speak for the agency, and thus had to be somewhat careful.

Elkins held various positions during his 25 years at the agency, including acting assistant administrator of Air and Radiation. The rule of thumb he followed was to "write things and speak as if you're going to be on the front page of *The Washington Post*." He also quickly figured out that reporters who popped into his office could read backward.

Of course, that was long ago, under a different political atmosphere, when EPA was not disparaged as it is today. Bill Ruckelshaus, who was the agency's founding administrator, also began his second term at the agency -- in 1983 -- with the "fishbowl memo," directing employees to be as open as possible with the public.

In contrast, former EPA Administrator Lisa Jackson took over an agency that has generally shielded employees from speaking with the press. Jackson also rarely spoke to reporters beyond prepared statements and speeches.

SEJ's Davis expressed hope that McCarthy, known for her outspokenness, would reverse that course.

But until then, an EPA spokeswoman declined to return a request for comment.

An earlier version of this story did not include the name of the employee in the cardboard box or the EPA administrator at the time.

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